

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
Charles A. Mantz, Clerk of the Court

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

<u>PAPER NUMBER</u>	<u>DAY</u>	<u>MONTH - 1946</u>	
**	1	October	Hearing in Court Room; Argument of counsel on question of presenting Indo-China phase of case in French language. Permission granted to extent suggested by Chief Prosecutor.
**	2	October	Hearing in Conference Room; Further consideration of application (Paper No. 423) of Prosecution under Rule 6(b)(1) pertaining to various IPS documents; Granted with additions as requested by the Defense (See Order No. 452).
**	2	October	Hearing in Court Room; Prosecution Exhibits Nos. 614 to 621 inc. marked for identification. Tribunal called up for hearing oral motion of Defense to rescind or vacate Order (Paper No. 447) relative to applications for witnesses to be produced for Defense; Matter continued for further consideration.
451	3	October	Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents 260A, et al. (See Order No. 463).
452	2	October	Order granting application of Prosecution for further exemptions from Rule 6(b)(1) with respect to IPS Documents. (Disposes of Paper No. 423).
**	3	October	Hearing in Court Room; Prosecution Exhibits Nos. 622 to 637 inc. marked for identification.
**	4	October	Hearing in Conference Room; On oral application of Prosecution for consent to employ Russian Language in Russian phase of case; To be referred to entire Tribunal. On application (Paper No. 444) under Rule 6(b)(1) pertaining to IPS Document No. 174; Granted with direction to prosecution to process certain other portions for Defense (See Order No. 459). On application (Paper No. 448) of Prosecution under Rule 6(b)(1) pertaining to

PAPER
NUMBER

DAY

MONTH - 1946

IPS Document No. 794A; Granted (See Order No. 453). On Amendment (Paper No. 431) to application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents No. 2457 et al; Granted (See Order No. 455). On application (Paper No. 422) of Prosecution under Rule 6 (b)(1) pertaining to Exhibit No. 58; Granted, with direction to Prosecution to process certain other portions for Defense (See Order No. 460). On request (Paper No. 439) of accused HEITARO KIMURA for production of witness; Granted (See Order No. 456) Further ruled that order relative to applications by Defense for witnesses to be produced be vacated for present with days for hearings to be determined later.

453 4 October Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Document No. 794A (Disposes of Paper No. 448).

454 4 October Certificate nominating Counsel.

455 4 October Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Document No. 608 (Disposes of Paper No. 431).

456 4 October Order granting application of accused HEITARO KIMURA for the production of Lt. Col. Sugita, Ichiji, as a witness (Disposes of Paper No. 439).

** 4 October Hearing in Court Room; Prosecution Exhibits Nos. 638 to 651 inc. marked for identification. Prosecution presented oral application for consent to employ Russian language in Russian phase of case; Granted with certain exceptions.

457 7 October Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents No. 487, 1112, 2339 and 2611. (See Order No. 482).

458 7 October Application of Prosecution that subpoena duces tecum be issued to SCAP directing said section to turn over to Tribunal all trial records in the Yamashita and Homma cases. (See Order No. 464).

<u>PAPER NUMBER</u>	<u>DAY</u>	<u>MONTH - 1946</u>	
459	4	October	Order granting application of Prosecution from exception from Rule 6(b)(1) with respect to Court Exhibit No. 174. (See Order Nos. 444 and 480).
460	4	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 58 (See Orders Nos. 422 and 481).
**	7	October	Hearing in Court Room; Prosecution Exhibits Nos. 652 to 665 inc. marked for identification.
**	8	October	Hearing in Conference Room; On Application (Paper No. 451) of Prosecution under Rule 6(b)(1) with respect to IPS Documents Nos. 2604A and 11 others; Granted (See Order No. 463). On application (Paper No. 458) of Prosecution for subpoena duces tecum directing SC/P to produce records in Yamashita and Homma cases; Granted (See Order No. 464).
461	8	October	Return of service of summons.
462	8	October	Certificate nominating Counsel.
463	8	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 2604A et al. (Disposes of Paper No. 451).
464	8	October	Order granting application of Prosecution for a subpoena duces tecum for Yamashita and Homma records. (Disposes of Paper No. 458).
465	8	October	Certificate nominating Counsel.
**	8	October	Hearing in Court Room; Prosecution Exhibits Nos. 666 to 672 inc. marked for identification.
**	9	October	Hearing in Court Room; Prosecution Exhibits Nos. 673 to 691A inc. marked for identification.
466	9	October	Oath of witness.
467	10	October	Request of accused HAITARO KIMURA for the production of several witnesses. (See order No. 484).

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465	8	October	Certificate nominating Counsel.
**	8	October	Hearing in Court Room; Prosecution Exhibits Nos. 666 to 672 inc. marked for identification.
**	9	October	Hearing in Court Room; Prosecution Exhibits Nos. 673 to 691A inc. marked for identification.
466	9	October	Oath of witness.
467	10	October	Request of accused HIRITARO KIMURA for the production of several witnesses. (See order No. 484).

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**	10	October	Hearing in Court Room; Prosecution Exhibits Nos. 692 to 706 inc. marked for identification.
468	10	October	Oath of witness.
**	11	October	Hearing in Court Room; Prosecution Exhibits Nos. 707 to 733 inc. marked for identification, 733 having not been admitted when court adjourned.
469	11	October	Application of Prosecution for leave to have evidence in chief of Joseph W. Ballantine, Prosecution witness presented in form of prepared statement instead of by oral examination. (See Order No. 483).
470	14	October	Motion of Prosecution for leave to withdraw motion made 7 October 1946 (Paper No. 458) for subpoena directed to SCAP, requiring that section to turn over trial records in Yamashita and Homma cases. (See Order No. 475).
471	14	October	Certificate nominating Counsel.
**	14	October	Hearing in Court Room; Prosecution Exhibits Nos. 734 to 747 inc. marked for identification, and Exhibits Nos. 732A and 733A were admitted, basic documents for which having been previously introduced for identification only and marked Exhibits 732 and 733 respectively.
472-473	14	October	Oaths of witnesses.
**	15	October	Hearing in Conference Room; On application (Paper No. 457) of Prosecution under Rule 6(b)(1) respecting IFS documents Nos. 487, et al; Granted (See Order No. 482); On application (Paper No. 469) of Prosecution for leave to have evidence of Joseph W. Ballantine presented in form of a prepared statement; Granted (See Order No. 484); On application (Paper No. 470) of Prosecution to withdraw application heretofore made (Paper No. 458) for subpoena duces tecum directed to SCAP requesting production of trial records in Yamashita and Homma cases; Granted (See Order No. 475), former order of October 8, 1946 (No. 464) ordered vacated.

PAPER
NUMBER DAY MONTH - 1946

			On matter of certain errors in transcript of Conference Room session of 4 October 1946 relative to Paper numbers 422 and 444; Correction orders to be entered nun pro tunc.
474	15	October	Application of Prosecution under Rule 6(b) (1) pertaining to IFS documents Nos. 1618 and others (See Order No. 489).
**	15	October	Hearing in Court Room; Prosecution Exhibits Nos. 748 to 758 inc. marked for identification.
475	16	October	Order granting motion of Prosecution to withdraw application for subpoenas duces tecum for Yamashita and Homma records, etc. (Disposes of Paper No. 470)
476	15	October	Oath of witness.
477	15	October	Withdrawal of Counsel.
478	15	October	Certificate nominating Counsel.
479	15	October	Request of accused SHUNROKU HATA for production of witnesses (See Order No. 485).
480	15	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 58. (Disposes of Papers Nos. 422 and 459).
481	15	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 174. (Disposes of Papers Nos. 444 and 460).
482	15	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS documents Nos. 487 and others. (Disposes of Paper No. 457).
483	15	October	Order granting application of Prosecution for leave to present evidence of Joseph W. Ballantine in a prepared statement. (Disposes of Paper No. 469).
**	16	October	Hearing in Court Room; Prosecution Exhibits Nos. 759 to 788A inc. marked for identification.

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**	17	October	Hearing in Court Room; Prosecution Exhibits Nos. 789 to 825 inc. marked for identification.
**	18	October	Hearing in Conference Room; On application (Paper Nos. 479) of accused SHUNROKU HATA for production of witnesses; Granted (See Order No. 485); On application (Paper No. 467) of accused HIITARU KIMURA for production of witnesses and documents; Granted (See Order No. 484).
484	18	October	Order granting application of accused KIMURA HIITARU, for production of witnesses and documents. (Disposes of Paper No. 467).
485	18	October	Order granting application of accused HATA, SHUNROKU, for production of witnesses. (Disposes of Paper No. 479).
**	18	October	Hearing in Court Room; Prosecution Exhibits Nos. 826 to 838 inc. marked for identification. Hearing on oral motion of Defense that Tribunal direct Marshal to serve summons on witness Matsumura, Tomokatsu; Court ruled that subpoena previously served on witness has placed him in custody of Tribunal, and that he is to remain in custody of Russian authorities to be dealt with by them as directed by Tribunal.
486-487	18	October	Oaths of witnesses.
**	21	October	Hearing in Court Room; Prosecution had marked for identification Exhibits Nos. 839 to 844 inc., and tendered certificates of source of authentication to be attached to Exhibits Nos. 757, 692, 732, 704, 734, 736, 694, 737, 738 and 740.
488	21	October	Certificate nominating Counsel.
**	22	October	Hearing in Court Room; Prosecution Exhibits Nos. 845 to 852 inc. marked for identification.
**	22	October	Hearing in Conference Room; On application (Paper No. 474) of Prosecution for exemption from Rule 6(b)(1) with respect to IPS documents Nos. 1618 and others; Granted (See Order No. 489), certain additional

PAPER
NUMBER DAY MONTH - 1946

parts to be processed for Defense.

489	22	October	Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS documents Nos. 1618, 903 and others. (Disposes of Paper No. 474).
490	22	October	Certificate nominating Counsel.
491	23	October	Certificate testifying to illness of accused IWANE MATSUI.
**	23	October	Hearing in Court Room; Prosecution Exhibits Nos. 853 to 861 inc. marked for identification.
492	24	October	Order in re:-The production of witnesses and of documents for the Defense, under Charter Provisions, and vacating Order of 26 September, 1946 (vacates order No. 447).
**	24	October	Hearing in Court Room; Trial of case continues.
493	24	October	Certificate testifying to illness of accused IWANE MATSUI.
494-496	24	October	Certificates nominating Counsel.
**	25	October	Hearing in Court Room; Trial of case continues.
497	25	October	Certificate testifying to illness of accused IWANE MATSUI.
498	25	October	Oath of Court Reporter, Floy Eder.
**	28	October	Hearing in Court Room; Trial of case continues.
499	28	October	Certificate testifying to illness of accused IWANE MATSUI.
500	29	October	Certificate testifying to illness of accused IWANE MATSUI.
501	29	October	Application of Prosecution for leave to withdraw applications (Papers Nos. 253 and 299) heretofore filed under Rule 6(b)(1) (See Order No. 500).

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502	29	October	Order permitting Lt. Col. P. F. Terioshkin, Prosecution witness, to leave Japan. (Oral motion).
503-504	29	October	Returns of Services of Summons.
**	29	October	Hearing in Court Room; Prosecution Exhibits Nos. 862 to 869 inc. marked for identification. Oral motion of IPS for order permitting Lt. Col. P. F. Terioshkin, witness, to leave Japan, Granted (See Order No. 502).
505	29	October	Oath of witness.
**	30	October	Hearing in Court Room; Prosecution Exhibits Nos. 870 to 878 inc. marked for identification.
506	30	October	Oath of Court Reporter, Irene F. Mielmann.
507	31	October	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
**	31	October	Hearing in Conference Room: On application (Paper No. 501) of Prosecution to withdraw applications dated 1 July 1946 (Paper No. 253) and 18 July 1946 (Paper No. 299); Granted. (See Order No. 509).
**	31	October	Hearing in Court Room; Prosecution Exhibits Nos. 879 to 911A inc. marked for identification. Oral application of Defense for order requiring production of original documents which were basis of ATIS Report No. 131 entitled "Research Report-Japan's Decision to Fight" Court Exhibit No. 809; Granted, Order to issue.
508	1	Nov.	Motion of Defense relative to opening statements by the Defense, also summations and arguments, and for permission to call and recall witnesses as may be dictated by logical development of the defense case. (under consideration)
509	31	October	Order granting application of Prosecution for leave to withdraw IPS applications, papers Nos. 253 and 299. (Disposes of Paper No. 501).

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510	31	October	Order granting application of accused for production of documents in possession of Washington, D. C. Document Center. (Disposes of Oral Motion).
**	1	November	Hearing in Conference Room: Hearing ex parte on oral motion of accused KINGORO HASHIMOTO for order amending order (Paper No. 492) by deleting name of said accused from list to be heard 11 November 1946, etc. Granted. (See Order No. 511).
511	1	November	Order amending order made 24 October 1946 re Production of Witnesses and Documents for defense, in respect to accused KINGORO HASHIMOTO only. (Disposes of oral motion).
512	1	November	Return of Service of Summons.
**	1	November	Hearing in Court Room: Prosecution Exhibits Nos. 912 to 919 inc. marked for identification.
513	4	November	Application of Prosecution for leave to employ Akira Terisawa to assist IPS in translation of Prosecution documents. (See Order No. 543).
514	4	November	Medical report on latest condition of accused SHUMEI OKAWA.
**	4	November	Hearing in Court Room: Prosecution Exhibits Nos. 920 to 966 inc. marked for identification; Defense requested ruling regarding applications of accused relative to production of witnesses, and Court ruled that application need be made only where witnesses are to be subpoenaed.
515	4	November	Request of accused SADIO ARAKI for production of witnesses.
516	4	November	Request of accused SFUNEOKU HATAI for production of witnesses.
517	4	November	Request of accused KENJI DOMINARA for production of witnesses.
**	5	November	Hearing in Court Room: Prosecution Exhibits Nos. 967 to 1009 inc. marked for identification.

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518	5	November	Certificate nominating Counsel.
519	5	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
520	5	November	Certificate testifying to illness of accused IWANE MATSUI.
**	6	November	Hearing in Conference Room: On application (Paper No. 508) of accused relative (1) to making opening statements, (2) to making summations and arguments, and (3) for permission to call and recall witnesses, etc. Under consideration.
521	6	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
522	6	November	Certificate testifying to illness of accused IWANE MATSUI.
**	6	November	Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1045 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Matsumura and Sejima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534).
523	6	November	Request of accused KIICHIRO HIRANUMA for production of witnesses.
524	6	November	Request of accused SEISHIRO ITAGAKI for production of witness.
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529	6	November	Request of accused SEISHIRO ITAGAKI for production of documents.

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518	5	November	Certificate nominating Counsel.
519	5	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
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**	6	November	Hearing in Conference Room: On application (Paper No. 508) of accused relative (1) to making opening statements, (2) to making summations and arguments, and (3) for permission to call and recall witnesses, etc. Under consideration.
521	6	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
522	6	November	Certificate testifying to illness of accused IWANE MATSUI.
**	6	November	Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1045 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Matsumura and Sejima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534).
523	6	November	Request of accused KIICHIRO HIRANUMA for production of witnesses.
524	6	November	Request of accused SEISHIRO ITAGAKI for production of witness.
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521	6	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
522	6	November	Certificate testifying to illness of accused IWANE MATSUI.
**	6	November	Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1045 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Matsumura and Sejima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534).
523	6	November	Request of accused KIICHIRO HIRANUMA for production of witnesses.
524	6	November	Request of accused SEISHIRO ITAGAKI for production of witness.
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530	6	November	Request of accused JIRO MINAMI for production of documents.
531	6	November	Request of accused HIITARO KIMURA for production of witnesses.
532	6	November	Request of accused NAOKI HOSHINO for production of witnesses.
**	7	November	Hearing in Court Room: Prosecution Exhibits Nos. 1046 to 1085 inc. marked for identification.
533	7	November	Application of Prosecution under Rule 6 (b)(1) pertaining to IPS Documents Nos. 15, 102, and others.
534	7	November	Order granting leave to Major General Matsumura, Tenokatsu, and Colonel Seino, Eulso, Prosecution Witnesses, to leave Japan. (Disposes of oral application).
535	7	November	Certificate testifying to illness of accused IWANE MATSUI.
536	7	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
537	7	November	Withdrawal of Counsel.
538	7	November	Request of accused KUNIAKI KOISO for production of witnesses.
539	7	November	Application of accused SADAO ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused.
**	8	November	Hearing in Conference Room: On application (Paper No. 513) of Prosecution for leave to employ Akira Terisawa, IMTEF interpreter and translator, to assist IPS; Granted (See Order No. 543). On application (Paper No. 539) of accused SADAO ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused; Matter to be heard later.

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531	6	November	Request of accused HIRITARO KIMURA for production of witnesses.
532	6	November	Request of accused NAOKI HOSHINO for production of witnesses.
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**	8	November	Hearing in Court Room: Prosecution Exhibits Nos. 1086 to 1106 inc. marked for identification.
540	8	November	Application of Prosecution under Rule 6 (b)(1) pertaining to IFS Documents Nos. 6250, 6251 and others
541	8	November	Certificate testifying to illness of accused KIICHIRO HIRANUMA.
542	8	November	Certificate testifying to illness of accused IWANE MATSUI.
543	8	November	Order granting application of Prosecution for leave to employ Tribunal Translator, Akira Terisawa. (Disposes of Paper No. 513).